

STATE OF MICHIGAN  
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

\* \* \* \* \*

In the matter, on the Commission's own motion,	)	
to amend R 460.813.	)	Case No. U-18362
_____	)	

At the April 28, 2017 meeting of the Michigan Public Service Commission in Lansing,  
Michigan.

PRESENT: Hon. Sally A. Talberg, Chairman  
Hon. Norman J. Saari, Commissioner  
Hon. Rachael A. Eubanks, Commissioner

**ORDER AND NOTICE OF HEARING**

On March 6, 2017, the Commission submitted a request for rulemaking (RFR) to the Office of Regulatory Reinvention (ORR) to amend Mich Admin Code, R 460.813 to update a reference in the Electrical Supply and Communication Lines and Associated Equipment rule set to the most current edition of the National Electric Safety Code (NESC). ORR approved the RFR on March 9, 2017, as

2017-007 LR. The Commission submitted the amended rule to ORR on March 8, 2017. ORR approved the amended rule on March 13, 2017. A regulatory impact statement (RIS) was submitted to ORR on March 22, 2017. ORR approved the RIS on March 24, 2017.

To provide the public with an opportunity to comment on the proposed rule revision, the Commission has scheduled a public hearing, which will be held at 9:00 a.m. on May 25, 2017, at 7109 W. Saginaw Hwy., Lansing, Michigan. Any person may attend the public hearing and may

offer comments on the proposed revisions. The Commission encourages interested parties to become involved in the proceedings.

In addition, any person may submit written comments regarding the proposed rules. The comments should reference Case No. U-18362, and must be received no later than 5:00 p.m. on June 15, 2017. Address mailed comments to: Executive Secretary, Michigan Public Service Commission, P.O. Box 30221, Lansing, MI 48909. Electronic comments may be e-mailed to [mpscdockets@michigan.gov](mailto:mpscdockets@michigan.gov). If you require assistance prior to filing, contact Commission staff at (517) 284-8090 or by e-mail at [mpscdockets@michigan.gov](mailto:mpscdockets@michigan.gov). All information submitted to the Commission in this matter will become public information available on the Commission's website and subject to disclosure; and all comments will be filed in Case No. U-18362.

THEREFORE, IT IS ORDERED that:

A. A public hearing regarding amending R 460.813 of the Electrical Supply and Communication Lines and Associated Equipment rule set shall be held at 9:00 a.m. on May 25, 2017, 7109 W. Saginaw Hwy., Lansing, Michigan. A notice of hearing is attached to this order as Exhibit A. A copy of the proposed rulemaking is attached to this order as Exhibit B.

B. The public hearing will be legislative in nature and any person may present data, views, questions, and arguments regarding the issue. Statements may be limited in duration by the presiding officer in order to ensure that all interested parties have an opportunity to participate in the proceedings. If necessary, the proceeding will continue on such dates as the presiding officer may schedule until all persons have had a reasonable opportunity to be heard.

C. Any person may file written comments, suggestions, data, views, questions, argument, and modifications concerning the issue. To be considered, all comments must be received at the Commission no later than 5:00 p.m. on June 15, 2017, and should reference Case No. U-18362.

The Commission reserves jurisdiction and may issue further orders as necessary.

MICHIGAN PUBLIC SERVICE COMMISSION

---

Sally A. Talberg, Chairman

---

Norman J. Saari, Commissioner

---

Rachael A. Eubanks, Commissioner

By its action of April 28, 2017.

---

Kavita Kale, Executive Secretary

**STATE OF MICHIGAN  
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION**

**NOTICE OF HEARING  
REGARDING AMENDMENT OF ADMINISTRATIVE RULES  
GOVERNING ELECTRICAL SUPPLY AND COMMUNICATION LINES AND ASSOCIATED  
EQUIPMENT CASE NO. U-18362; ORR #2017-007**

- The Michigan Public Service Commission is considering amending R 460.813 within the Electrical Supply and Communication Lines and Associated Equipment rule set to adopt the 2017 version of the National Electrical Safety Code. The Commission will hold a public hearing to solicit comments from anyone who wishes to comment on the proposed rules.
- The information below describes how a person may participate in this case.
- You may contact the Michigan Public Service Commission, P.O. Box 30221, Lansing, Michigan 48909, (800) 292-9555 for a free copy of the proposed rules. Any person may review the rules on the Commission's E-Docket Website at [michigan.gov/mpscedockets](http://michigan.gov/mpscedockets). The rules will be published in the Michigan Register under ORR #2017-007, and may be accessed at the ORR website, [www.michigan.gov/lara](http://www.michigan.gov/lara), under "Recent and Pending Rule Changes."
- The public hearing will be held:

**DATE:** May 25, 2017

**BEFORE:** Martin D. Snyder

**TIME:** 9:00 a.m.

**LOCATION:** 7109 W. Saginaw  
Lansing, Michigan

**PARTICIPATION:** Any interested person may attend and participate. The hearing site is accessible, including handicapped parking. People needing any accommodation to participate should contact the Commission's Executive Secretary at (517) 284-8090 at least a week in advance to request mobility, visual, hearing or other assistance.

These proposed rule revisions will amend the existing rule set to adopt the 2017 version of the National Electrical Safety Code, and will correct the name of the appropriate department to Department of Licensing and Regulatory Affairs. The hearing will be for the purpose of providing an opportunity for all interested persons to present statements, views, data, questions, or arguments concerning the proposed rules. The public hearing will continue until all parties present have had

a reasonable opportunity to present statements regarding the proposed rules. Persons presenting statements may be asked questions by the Commission and its Staff, as well as by the presiding officer. Statements may be limited in duration by the presiding officer in order to ensure that all interested parties have an opportunity to participate in the proceedings.

Written and electronic comments may be filed with the Commission and must be received no later than 5:00 p.m. on June 15, 2017. Written comments should be sent to the: Executive Secretary, Michigan Public Service Commission, P.O. Box 30221, Lansing, Michigan 48909. Electronic comments may be e-mailed to [mpscedockets@michigan.gov](mailto:mpscedockets@michigan.gov). If you require assistance, contact Commission staff at (517) 284-8090 or by e-mail at [mpscedockets@michigan.gov](mailto:mpscedockets@michigan.gov). All information submitted to the Commission in this matter will become public information available on the Commission's website and subject to disclosure. All comments should reference Case No. U-18362.

Jurisdiction is pursuant to section sections 4 and 6 of 1939 PA 3, and section 5 of 1939 PA 419, MCL 460.557, 460.4, 460.6, and 460.55)

April 20, 2017  
Lansing, Michigan

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

PUBLIC SERVICE COMMISSION

ELECTRICAL SUPPLY AND COMMUNICATION LINES AND ASSOCIATED  
EQUIPMENT

Filed with the Secretary of State on

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the public service commission by section 7 of Act No. 106 of the Public Acts of 1909, as amended, ~~sections 2 and 3 of Act No. 206 of the Public Acts of 1913, as amended,~~ sections 4 and 6 of Act No. 3 of the Public Acts of 1939, as amended, and section 5 of Act No. 419 of the Public Acts of ~~1939~~ **1919**, as amended, being ~~SS MCL 460.557, 460.102, 460.103, 460.4, 460.6, and 460.55~~)

R 460.813 Standards of good practice; adoption by reference.

Rule 3. Parts 1, 2, and 3 and sections 1, 2, 3, and 9 of the national electrical safety code, ~~2012~~ **2017** edition (ANSI-C2-~~2012~~ **2017**), are adopted by reference in these rules as standards of accepted good practice. Parts 1, 2, and 3 and sections 1, 2, 3, and 9 of the national electrical safety code, ~~2012~~ **2017** edition (ANSI-C2-~~2012~~ **2017**), are available from the institute of electrical and electronics engineers (ieee) at the following address: ~~IEEE Operations Center, 445 Hoes Lane, Piscataway, NJ 08854-4141 USA, phone: (732) 981-0060,~~ or via the internet at the following web site:

[http://www.techstreet.com/standards/ieee-c2-2017?product\\_id=1914980](http://www.techstreet.com/standards/ieee-c2-2017?product_id=1914980)

at a cost of ~~\$170.00~~ **\$190.00 for a pdf download, \$210.00 for a print copy, or \$285.00 for both** as of the time of adoption of this rule, plus a **any applicable** handling charge. Copies of the code may also be obtained from the Michigan Public Service Commission, ~~6545 Mercantile Way~~ **7109 W. Saginaw**, P.O. Box 30221, Lansing, MI 48909 at the same cost charged by the ieee as of the adoption of this rule, plus \$20 for shipping and handling.

March 8, 2017